



D.J
#9 95-04
IDS Appeal
DOCKET NO: C01104/70005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling et al.
Serial No: 09/886,958
Confirmation No: 5019
Filed: June 21, 2001
For: METHOD AND APPARATUS FOR CONTROLLING A
LIGHTING SYSTEM IN RESPONSE TO AN AUDIO INPUT
RECEIVED
AUG 24 2004
Examiner: Not yet assigned
Art Unit: 2173
Technology Center 2100

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 7th day of August, 2004.

Wendy Kleis
Wendy Kleis

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

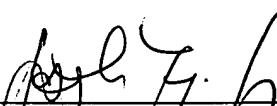
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Kevin J. Dowling, et al., Applicants

By:


Joseph Teja, Jr., Reg. No. 45,157
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street
Cambridge, Massachusetts 02142
Tel. (617) 395-7000

Docket No. C01104/70005

Date: August 17, 2004

XNDD



FORM PTO-1449/A and B (Modified)			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			
Sheet	1	of	
APPLICATION NO.: 09/886,958			ATTY. DOCKET NO.: C01104/70005
FILING DATE: June 21, 2001			CONFIRMATION NO.: 5019
APPLICANT: Kevin J. Dowling et al.			
GROUP ART UNIT: 2173			EXAMINER: Not yet assigned

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		3,111,057		Cramer	RECEIVED 11-19-1963
		3,163,077		Shank	12-29-1964
		3,205,755		Sklar	AUG 24 2004 09-14-1965
		3,215,022		Orgo	11-02-1965
		3,240,099		Irons	Technology Center 2100 03-15-1966
		3,241,419		Gracey	03-22-1966
		3,307,443		Shallenberger	03-07-1967
		3,540,343		Rifkin	11-17-1970
		3,550,497		Marsh	12-29-1970
		3,845,468		Smith	10-29-1974
		4,176,581		Stuyvenberg	12-04-1979
		4,753,148		Johnson	06-28-1988
		4,768,086		Paist	08-30-1988

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		EP	0029474	B1	Ingord Limited	06-03-1981	
		WO	81/00637		Louez	03-05-1981	
		WO	81/01602		Ingord Limited	06-11-1981	
		WO	86/05409		Paist	09-25-1986	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]